

EXHIBIT 1

Superior Court
Complaint and Amended Complaint

FILED

January 28, 2021

SX-2020-CV-00996

TAMARA CHARLES
CLERK OF THE COURT

**IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

BRIANNA HENRY,

Plaintiff,

v.

JEANINE CARBON THOMAS, Nurse-
Midwife and NAITA SALMON, Nurse
Practitioner,

Defendants.

CIVIL NO. SX-2020-CV-00996

ACTION FOR DAMAGES

JURY TRIAL DEMANDED

FIRST AMENDED VERIFIED COMPLAINT

COMES NOW Plaintiff, **BRIANNA HENRY**, by and through undersigned counsel,
and files her Verified Complaint against Defendants **JEANINE CARBON THOMAS, Nurse
Midwife and NAITA SALMON, Nurse Practitioner**, and allege the following:

1. This Court has jurisdiction over this matter pursuant to 4 V.I.C. § 76.
2. The Medial Malpractice Act is void, as a result of not having been implemented.
3. Plaintiff, Brianna Henry, is a resident of St. Croix, U.S. Virgin Islands.
4. Defendant, Jeanine Carbon Thomas, Nurse Midwife, is, upon information, a Virgin Islands licensed Midwife
5. Defendant, Naita Salmon, is, upon information, a Virgin Islands licensed nurse practitioner.
6. Plaintiff became pregnant and had her prenatal care, through Naita Salmon, at the Christiansted Clinic.

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7. Close to Plaintiff delivery date, she was transferred to the Frederiksted Clinic and Nurse Jeanine Carbon Thomas.
8. Defendant, Nurse-Midwife Carbon Thomas, was Plaintiff's physician during the delivery on March 23, 2020.
9. During delivery, Plaintiff suffered a perineal laceration.
10. Defendant, Nurse-Midwife Carbon Thomas, failed to correctly repair the tear and left a portion open.
11. Plaintiff complained to Nurse Practitioner Salmon that she was in constant pain and had burning pain on urination, and at other times in her perineal area.
12. Defendant, Nurse Practitioner Salmon, failed to examine the same and instead simply provided antibiotics.
13. Finally, after much pain and difficulties, while Nurse Practitioner Salmon still had not examined the area, Plaintiff was referred to Dr. Briscoe, a gynecologist.
14. Dr. Briscoe finally examined the area and discovered the open wound that had never been correctly sutured in August of 2020.
15. As a result of the delay in treatment, Plaintiff was scheduled for surgery on August 24, 2020, to repair the area.
16. As a result of the negligence of Defendants, Plaintiff suffered physical injuries, medical expenses, mental anguish, economic damages, pain and suffering and loss of enjoyment of life, all of which will continue into the foreseeable future.

WHEREFORE, Plaintiff prays for damages as they may appear, pre and post judgment interest, costs and fees, and for such other relief as this Court deems fair and

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just.

LEE J. ROHN AND ASSOCIATES, LLC
Attorneys for Plaintiffs

DATED: January 28, 2021

BY: /s/ Lee J. Rohn

Lee J. Rohn, Esq.

VI Bar No. 52

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VERIFICATION

I, BRIANNA HENRY, being duly sworn, state I have read the allegations contained in the foregoing **VERIFIED COMPLAINT** and know them to be true and correct to the best of my knowledge and belief.

Date: 1/28/21

Brianna H
BRIANNA HENRY

SUBSCRIBED AND SWORN to before
me this 28 day of January, 2021.

[Signature]
NOTARY PUBLIC

YVONNE V. STANLEY
Notary Public - St. Croix, U.S. Virgin Islands
NP-199-19
My Commission Expires March 6, 2023

FILED

December 28, 2020

SX-2020-CV-00996

TAMARA CHARLES
CLERK OF THE COURT

**IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

BRIANNA HENRY,

Plaintiff,

v.

DR. JEANINE CARBON THOMAS, MD
and DR. NAITA SALMON, MD.

Defendants.

CIVIL NO. _____

ACTION FOR DAMAGES

JURY TRIAL DEMANDED

VERIFIED COMPLAINT

COMES NOW Plaintiff, **BRIANNA HENRY**, by and through undersigned counsel,
and files her Verified Complaint against Defendants **DR. JEANINE CARBON THOMAS,**
MD and DR. NAITA SALMON, MD, and allege the following:

1. This Court has jurisdiction over this matter pursuant to 4 V.I.C. § 76.
2. The Medial Malpractice Act is void, as a result of not having been implemented.
3. Plaintiff, Brianna Henry, is a resident of St. Croix, U.S. Virgin Islands.
4. Defendant, Dr. Jeanine Carbon Thomas, MD, is, upon information, a Virgin Islands licensed physician.
5. Defendant, Dr. Naita Salmon, MD, is, upon information, a Virgin Islands licensed physician.
6. Plaintiff became pregnant and had her prenatal care, through Dr. Naita Salmon, at the Christiansted Clinic.
7. Close to Plaintiff delivery date, she was transferred to the Frederiksted Clinic and Dr. Jeanine Carbon Thomas.

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8. Defendant, Dr. Carbon Thomas, was Plaintiff's physician during the delivery on March 23, 2020.
9. During delivery, Plaintiff suffered a perineal laceration.
10. Defendant, Dr. Carbon Thomas, failed to correctly repair the tear and left a portion open.
11. Plaintiff complained to Dr. Salmon that she was in constant pain and had burning pain on urination, and at other times in her perineal area.
12. Defendant, Dr. Salmon, failed to examine the same and instead simply provided antibiotics.
13. Finally, after much pain and difficulties, while Dr. Salmon still had not examined the area, Plaintiff was referred to Dr. Briscoe, a gynecologist.
14. Dr. Briscoe finally examined the area and discovered the open wound that had never been correctly sutured in August of 2020.
15. As a result of the delay in treatment, Plaintiff was scheduled for surgery on August 24, 2020, to repair the area.
16. As a result of the negligence of Defendants, Plaintiff suffered physical injuries, medical expenses, mental anguish, economic damages, pain and suffering and loss of enjoyment of life, all of which will continue into the foreseeable future.

WHEREFORE, Plaintiff prays for damages as they may appear, pre and post judgment interest, costs and fees, and for such other relief as this Court deems fair and just.

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LEE J. ROHN AND ASSOCIATES, LLC
Attorneys for Plaintiff

DATED: September 3, 2020

BY: /s/ Lee J. Rohn
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VERIFICATION

I, **BRIANNA HENRY**, being duly sworn, state I have read the allegations contained in the foregoing **VERIFIED COMPLAINT** and know them to be true and correct to the best of my knowledge and belief.

Date: 9/4/20

Brianna Henry
BRIANNA HENRY

SUBSCRIBED AND SWORN to before
me this 4th day of September, 2020.

[Signature]
NOTARY PUBLIC

